

MARIA GIANNALIA

APRIL 23, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 7987]

The Committee on the Judiciary, to which was referred the bill (H. R. 7987) for the relief of Maria Giannalia, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to facilitate the admission into the United State of Maria Giannalia.

GENERAL INFORMATION

The beneficiary is an 18-year-old native and citizen of Italy who resides in that country with her maternal grandparents. She has been adopted by citizens of the United States, who have also adopted the beneficiary's two minor brothers and brought them to the United States. The beneficiary's parents were killed in Italy in 1953.

The pertinent facts in this case are contained in a letter from the Commissioner of Immigration and Naturalization, dated November 1, 1957, to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D. C., November 1, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 7987) for the relief of Maria Giannalia, there

is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would confer nonquota immigrant status upon the 18-year-old adopted daughter of United States citizens.

As a quota immigrant the beneficiary would be chargeable to the quota for Italy.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MARIA GIANNALIA,
BENEFICIARY OF H. R. 7987

Information concerning the case was obtained from Joseph and Mary La Susa, the beneficiary's adoptive father and mother, who are the sponsors of the bill.

Maria Giannalia, a native, citizen, and resident of Italy, was born on June 6, 1939. Her parents died in Italy in 1953. She is unmarried, unemployed, and resides with her maternal grandparents at No. 7 Via San Giuseppe, Campofiorito, Palermo, Italy. The beneficiary was adopted by the sponsors on May 24, 1957, in the Corte di Minorenni (Children's Court), Palermo, Italy. Her adoptive parents contribute \$20 monthly to her support, and send food and clothing packages to her several times a year. The alien's two minor brothers, who were also adopted by the sponsors, were admitted to the United States as permanent residents and reside with them. Her minor sister, also a permanent resident of the United States, was adopted by the male sponsor's brother.

Joseph Amodeo La Susa, a derivative citizen of the United States, was born on January 8, 1907, in Palermo, Italy. On June 3, 1934, he married Mary Anna La Susa, nee Cerniglia, a citizen of the United States, who was born on June 23, 1911, in Poughkeepsie, N. Y. They reside at 1 Montgomery Street, Poughkeepsie, N. Y., with their three American born adult children, and the beneficiary's two minor brothers. Mrs. La Susa is a housewife. Mr. La Susa is employed as a tailor by the State of New York at the Hudson River State Hospital, Poughkeepsie, N. Y., and earns a yearly income of \$4,220.40. Their total assets amount to \$47,251 which include real estate valued at \$31,000.

The Director of the Visa Office, Department of State, submitted the following report on this bill:

DEPARTMENT OF STATE,
Washington, July 30, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: I refer to your letter of June 19, 1957, requesting a report in the case of Maria Giannalia, beneficiary of H. R. 7987, 85th Congress, introduced by Mr. Wharton on June 6, 1957.

Information in the Department's files indicates that Maria Giannalia, whose case was considered under the refugee relief program, could not be granted a visa because she was over the age limitation of 10 years. As an applicant for a nonpreference immigrant visa under the Italian quota, she will face an indeterminate wait before it will become possible to take action in her case. However, there is no reason to believe that the child would not be eligible to receive a visa if the proposed legislation should be enacted on her behalf.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Mr. Wharton, who appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his bill, also submitted the following statement and affidavits in support of this legislation:

STATEMENT SUBMITTED BY CONGRESSMAN J. ERNEST
WHARTON IN SUPPORT OF H. R. 7987

Subject: Miss Maria Giannalia, born June 6, 1939, Italian national and presently a resident of Palermo, Italy.

History: In 1953, Miss Giannalia together with two younger brothers and a sister became orphans when both parents were killed in a bomb explosion. All 3 of the younger children were admitted to the United States under the Refugee Relief Act—the 2 boys were adopted by a distant relative, Mr. and Mrs. Joseph La Susa; and the latter's brother, Mr. Philip La Susa, adopted the youngest girl. Miss Giannalia was over the age limit to qualify as an orphaned refugee and she remained in Italy with her grandmother, who passed away a few months ago. Mr. and Mrs. Joseph La Susa, 1 Montgomery Street, Poughkeepsie, N. Y., adopted Miss Giannalia in the Children's Court of Palermo, Italy, and copies of the adoption decree have been submitted to your committee. Registered as a quota immigrant, Miss Giannalia would have to remain separated from the rest of her family a number of years before a visa would become available.

Purpose of private bill: To grant Miss Giannalia nonquota immigrant status so that she may be reunited with her brothers and sister, and join her adoptive parents who are citizens of the United States.

Investigation and reports: Department of State report submitted to Judiciary Committee under date of July 30, 1957; Immigration Service report dated November 1, 1957, also submitted. Both reports are favorable. The financial standing and reputation of the adoptive parents have been investigated locally and found to be excellent—the father having been engaged in the tailoring business at Poughkeepsie, N. Y., for many years. The subject ward, of course, proposes to make her residence at the above address with her adoptive parents and 2 brothers.

Conclusion: All available information indicating the desirability of the present application and in view of the great

humanitarian aspects involved, I do not hesitate in recommending favorable committee action herein.

STATE OF NEW YORK,
County of Dutchess, ss:

Joseph La Susa and Mary La Susa, each for himself and herself being duly sworn deposes and says:

That we are husband and wife and reside at No. 1 Montgomery Street, Poughkeepsie, county of Dutchess and State of New York.

That during the month of May 1957, we adopted Maria Giannalia, who presently resides in Italy, in accordance with the laws of Italy. That we are now seeking permission from the United States Congress to obtain permission to have Maria Giannalia enter this country.

It is our intention to adopt the said Maria Giannalia in accordance with the laws of the State of New York, if she is granted permission to enter this country, upon her arrival or as soon as we are permitted to commence adoption proceedings here in our courts.

JOSEPH LA SUSA.
MARY LA SUSA.

Subscribed and sworn to before me this 3d day of June 1957.

MARIANO B. AMODEO,
Notary Public, New York State,
Resident of Dutchess County.

Commission expires March 30, 1958.

STATE OF NEW YORK,
County of Dutchess, ss:

Mariano B. Amodeo, being duly sworn deposes and says:

That I am an attorney-at-law duly licensed to practice law under the laws of the State of New York, and that I maintain an office for the practice of my profession at No. 2 Cannon Street, Poughkeepsie, N. Y.

That I am the attorney for Joseph La Susa and Mary La Susa and have handled all their legal work for the past 17 years. That they have discussed with me the matter of the contemplated adoption in this country of one Maria Giannalia, a minor who is now residing in Italy. They have stated to me that they are now seeking to obtain permission for the entry of the said minor into the United States. They have also engaged me to handle the adoption of said child for them, in the event she is permitted to enter the United States. It is my understanding that the child has already been adopted by my said clients in accordance with the laws of the Italian Government.

MARIANO B. AMODEO.

Sworn and subscribed to before me on this 3d day of June 1957.

[SEAL] SAMUEL L. AMODEO,
Notary Public, New York State, Resident Dutchess County.

Commission expires March 30, 1958.

Upon consideration of all the facts in this case, the committee is of the opinion that H. R. 7987 should be enacted and accordingly recommends that it do pass.